

PLANNING COMMISSION MINUTES

Gardner, Kansas

Monday, December 11, 2006

The Planning Commission met in regular session on the above date at the Gardner City Hall, 120 E. Main Street, Gardner, Kansas.

I. Call to Order

Chairman Stephen Koranda called the meeting to order at 7:02 p.m. Commissioners present: Paul Kilgore, Greg Godwin, Eileen Mertz, Eric Schultz, Jason Burnett, and Dan Popp. Commissioners absent: none. Also present: Community Development Director Fred Sherman; Planner Erik Pollom; Mayor Carol Lehman; City Council Members Dave Drovetta, Tom Breen, Mary Peters, Brad Weisenburger, and Mark Raney; Board of Zoning Appeals Members Kipp Willnauer, Vern Pickert, and Mike Hutton; City Administrator Stewart Fairburn; applicant Joe Campbell of Timber Creek Land Company; engineer for an applicant Victor Burks of Allenbrand-Drews & Associates, Inc.; applicant agent Doug Kjellin; engineer for an applicant Joel Riggs of Peridian Group, Inc.; applicant agent Andy Schlagel for Timber Creek Land Company; applicant agent John Amrein of Land Company Real Estate Services; and four interested citizens.

II. Approval of Minutes

The minutes of the November 27, 2006, meeting, were approved by unanimous consent, with one correction.

Mayor Lehman gave a brief presentation to express the City's appreciation to the Board of Zoning Appeals Members and Planning Commissioners for the time and service they have given to the City of Gardner, followed by a ten minute refreshment break.

III. Consent Items

Planning Commissioner Mertz requested that Item No. 2, PP-06-02, be removed from the Consent Agenda.

1. PP-06-03

Consider a Preliminary Plat for Park Place Estates, a 40 acre single family residential development located on the west side of Gardner Road, ½ mile north of 167th Street. The application is filed by Tony Plunkett; with engineering services provided by Allenbrand-Drews & Associates, Inc. *This item is to be tabled to the January 22, 2007, meeting.*

1. **APPLICANT:** The applicant is Tony Plunkett; with engineering services provided by Allenbrand-Drews & Associates, Inc.
2. **REQUESTED ACTION:** The applicant requests preliminary plat approval for a 137 lot single family residential development on 40 acres.
3. **LOCATION:** The subject property is located on the west side of Gardner Road, ½ mile north of 167th Street.
4. **EXISTING ZONING:** The property is currently zoned R-1, Single Family Residential (Z-06-12).
5. **STAFF ANALYSIS OF THE APPLICATION:** The applicant has requested that consideration of this preliminary plat be continued to the January 22, 2007, meeting to allow time for discussion of some of its design elements.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission table consideration of PP-06-03 to the January 22, 2007, meeting.

Motion Mertz to table the Preliminary Plat for Park Place Estates (PP-06-03) to the January 22, 2007, Planning Commission meeting.

Motion to Table Carried: 7 to 0 Aye

IV. Agenda Items

(2.) PP-06-02

Consider a Preliminary Plat for Auburn Hills, a 152.7 acre single family residential development located northwest of the 167th Street and Gardner Road intersection. The application is filed by Timber Creek Land Company; with engineering services provided by Allenbrand-Drews & Associates, Inc.

Planner Pollom presented the staff report.

1. **APPLICANT:** The applicant is Timber Creek Land Company; with engineering services provided by Allenbrand-Drews & Associates, Inc.
2. **REQUESTED ACTION:** The applicant requests preliminary plat approval for a 361 lot single family residential development on 152.7 acres.
3. **LOCATION:** The subject property is located on the northwest corner of the 167th Street and Gardner Road intersection.
4. **EXISTING ZONING:** The property is zoned R-1, Single Family Residential District (Z-06-10).
5. **ANALYSIS OF THE APPLICATION:** The applicant requests preliminary plat approval for Auburn Hills, a 361 lot single family residential development. This property, with the exception of the large tract of land at the southeast corner of the property, was recently approved for single family residential zoning. The remaining lot has been requested for commercial zoning (Z-06-11), and retains its agricultural zoning pending Planning Commission and City Council determination of the desirability of commercial development in this location. The overall layout of lots and streets meets all applicable City standards. Tract C, in the northwest corner of this preliminary plat, is indicated reserved for a future elementary school. To date, school district staff has not expressed any specific intention of utilizing this ground for a school facility. The applicant has provided staff with a prospective single family lot layout for this tract to ensure that it can accommodate residential properties, should a school facility not develop in this location. Future development of the area in the northwest portion of the property into single family lots would require the submittal, and approval by the Planning Commission, of a revised preliminary plat for the entire Auburn Hills property.

Adjacent Property Connections and Streets

The street connection shown on the west side of this preliminary plat connects with the approved preliminary development plan for Granite Springs. The five street connections shown on the northern border of this subject property are intended to continue through to a future collector street that the Development Plan Map prescribes for the property immediately to the north.

This preliminary plat also shows the dedication of and correction of the irregular rights-of-way on Gardner Road. Currently, the western boundary of the dedicated Gardner Road right-of-way takes an erratic path. This preliminary plat indicates the dedication of 60 feet of right-of-way from section lines, to provide a total of 120 feet of right-of-way, which will allow Gardner Road to be widened at a future date.

6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Preliminary Plat for Auburn Hills (PP-06-02), a single family residential development located on the northwest corner of the 167th Street and Gardner Road intersection, with the following stipulation:
 - a. Prior to or concurrent with the submittal of a final plat application, public works staff shall review and approve a preliminary stormwater management plan for this property.

Commissioner Mertz asked if there was an alternative configuration for the indicated potential school area, if the school district did not choose to build there. Planner Pollom stated that the applicant had provided a conceptual lot and street layout for that area. Director Sherman explained that the applicant would have to replat that portion of the property prior to any development of that area.

Planner Pollom explained that the southeast portion of the property would still be reserved by the applicant for possible future commercial development.

Commissioner Mertz stated that she did not like the easternmost north/south street because its intersection with a northern east/west street would be too close to Gardner Road. Director Sherman explained that the street configuration could be altered to prevent that close intersection when the property to the north was platted and the subject streets were continued onto the northern property. Director Sherman, Planner Pollom, and the commissioners discussed viable street layouts for the subject preliminary plat and the adjacent northern property.

Andy Schlagel, planning consultant for Timber Creek Land Company, stated that any necessary changes to meet the City and staff's requests and requirements could be made as the project progressed.

Motion Godwin, second Schultz, to approve the Preliminary Plat for Auburn Hills, located northwest of the 167th Street and Gardner Road intersection (PP-06-01), subject to staff recommendations:

- a) Prior to or concurrent with submittal of a final plat, public works staff shall review and approve a preliminary storm water management plan for this property.

Motion to Approve Carried: 7 to 0 Aye

1. Z-06-13; PDP-06-11

Conduct a public hearing and consider rezoning property from A (Agricultural District) to RP-3 (Planned Garden Apartment District) for an 8.12 acre property located northeast of the Waverly Road and 167th Street intersection. The application is filed by Jabez Development, Inc.; with engineering services provided by Peridian Group, Inc.

Chairman Koranda opened the public hearing at 7:52 p.m.

Planner Pollom presented the staff report.

1. **APPLICANT:** Jabez Development, Inc., is the applicant; with engineering services provided by Peridian Group, Inc.
2. **REQUESTED ACTION:** The applicant requests rezoning of 8.1 acres from A (Agricultural District) to RP-3 (Planned Garden Apartment District).
3. **LOCATION:** The 8.1 acre property is located northeast of the 167th Street and Waverly Road intersection.
4. **EXISTING ZONING:** The property is currently zoned A (Agricultural District) upon annexation into the City of Gardner (Ord 2172).
5. **CHARACTER OF THE NEIGHBORHOOD:** The subject property is surrounded to the north and east by recently rezoned and undeveloped multi-family and single family residential property, approved as part of Granite Springs (Z-06-04). The property to the south and west was requested for rezoning to commercial uses. It was denied by the City Council, and retains its original agricultural zoning.
6. **LAND USE AND ZONING PATTERNS:** The surrounding properties are zoned RP-3, Planned Garden Apartment District, to the north and east, and A, Agricultural District, to the south and west.
7. **CONFORMANCE TO THE COMMUNITY DEVELOPMENT PLAN:** The Gardner Community Development Plan - 2003 denotes urban residential land uses and low-density residential development uses for this immediate area. The Community Development Plan attempts to expand housing opportunities by targeting various residential densities. Three residential land use categories are depicted on the Development Plan Map. The categories are distinguishable by the density of development allowed in each:

Low-Density:	Greater than 1 and less than or equal to 6 units per acre
Medium-Density:	Greater than 6 and less than or equal to 15 units per acre
High-Density:	Greater than 15 units per acre

Rezoning the property to RP-3, Planned Garden Apartment District, with the currently proposed 4 units per acre, would be complementary with the intent and policies of the plan.
8. **STAFF ANALYSIS OF THE APPLICATION:** The preliminary development plan submitted with this rezoning request includes eight (8) freestanding single story four-plex buildings for a total of 32 total residential units. The 32 units on 8.1 acres results in a gross density of just under 4 units per acre. This density is well below what is allowed within the RP-3 district. Access is provided by a private drive.

Preliminary elevations that match the building footprints on this plan have not been submitted. Based on the conceptual building elevations that were submitted with this application, the applicant shows an architectural style that will incorporate stone, brick, and stucco, with composition shingle roofs.

History and Context within Granite Springs

The subject property was part of a proposed commercial and multi-family rezoning submitted with the overall Granite Springs rezoning requests. This portion of the Granite Springs development (Z-06-03) was denied rezoning in May of 2006. Subsequently, the applicant has separated the residential and commercial components of the *original* request into two individual rezoning requests. The commercial portion was reconfigured and resubmitted as Z-06-08, a request for CP-2 zoning that was ultimately denied by the City Council at the November 6, 2006, meeting. This subject property, requesting rezoning to the RP-3 zoning district, is a revised concept of the multi-family area that was formerly tied to the original rezoning request (Z-06-03).

Within the overall context of the approved areas of Granite Springs, this rezoning request is an expansion of the approved RP-3 zonings to the north and east. It represents a reduction in units from the original rezoning request

(Z-06-03) for two-story apartment buildings at this location, and introduces 4-plexes to the mix of residential housing options already approved for the Granite Springs development (Z-06-04).

9. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission forward the application to rezone the Jabez Development, Inc., property, located ¼ mile north and east of the 167th Street and Waverly Road intersection, from A (Agricultural District) to RP-3 (Planned Garden Apartment District), to the City Council with a recommendation for approval, subject to the following stipulations:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan) which is filed in the office of the Planning Commission Secretary at City Hall and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - b. The development shall be limited to 32 units.
 - c. The location and geometrics of all driveways, public streets, and parking areas are subject to review and approval by Community Development Department staff.
 - d. Prior to the issuance of building permits, the Planning Commission shall approve a final development plan for this subject property.

Chairman Koranda invited questions from the commissioners. There were no questions.

Chairman Koranda invited comments from the applicant. Engineer for the applicant Joel Riggs of Peridian Group, Inc., gave a brief presentation.

Chairman Koranda invited comments from the public. There were no public comments.

Motion Schultz, second Mertz, to close the public hearing at 7:57 p.m.

Motion Carried: 7 to 0 Aye

Chairman Koranda invited comments from the commissioners. There were no comments.

Motion Mertz, second Popp, to forward the Rezoning Request for the Jabez Development, Inc., property (Z-06-13) and its associated Preliminary Development Plan for Granite Springs (central) (PDP-06-11) to the City Council with a recommendation for approval, subject to staff recommendations.

Motion to Forward Carried: 7 to 0 Aye

2. FDP-06-07

Consider a Final Development Plan for En-Tire, 5,800 sq.ft. commercial building located at 975 E. Lincoln Lane. The application is filed by AMT Kansas, L.L.C.; with engineering services provided by Peridian Group, Inc.

Planner Pollom presented the staff report.

1. **APPLICANT:** The applicant is AMT Kansas, L.L.C., with engineering services provided by Peridian Group, Inc.
2. **REQUESTED ACTION:** The applicant requests final development plan approval for commercial development.
3. **LOCATION:** The .82 acre property is located at 975 E Lincoln Lane.
4. **EXISTING ZONING:** This property is currently zoned CP-2, Planned General Business District (Z-02-03).
5. **ANALYSIS:** The applicant requests site plan approval for En-Tire, a tire service center of approximately 5,800 sq. ft.

Preliminary Development Plan – Drive Access

The submitted site plan mostly adheres to the layout of the approved preliminary development plan (PDP-04-10), with the exceptions of removing an entrance to the common drive at the northwest corner and no longer having any parking along its southern edge. The entrance that was removed is now replaced by a dead-end space that does little to help provide access to the trash enclosure at the northwest corner of the building. An effect of eliminating this drive entrance is that more on-site traffic will be routed to the southwest entrance, using the common drive between the proposed building and the Gardner Dental Care building to the south, and there is potential for greater wear to the parking surface caused by trash and delivery trucks.

Staff's preference would be to keep this access drive at the northwestern portion of the property open for traffic circulation. If it is determined to be desirable to keep this drive entrance closed, then staff suggests that the western edge of the parking lot and landscaping treatment should be kept uniform along the entire western extent of the property (see attached).

Building – Site Orientation & Materials

The building is proposed to be almost entirely brown painted split-face concrete block with accent bands of red block and a stripe of tan smooth-face block. It is flat-roofed, with four large service doors on the north and south sides to allow drive-through service bays, and a glass customer entrance and glass windows that feature red awnings.

The applicant has made a substantial change to the originally submitted plan by accepting staff's suggestion to orient the front customer entrance of the building to the east, towards the U.S. Highway 56 street frontage. The orientation of the building also places the service doors on the north and south sides of the building, which is the preferred orientation for this particular site, in staff's opinion.

Preliminary development plan approval for New Century Plaza required that all buildings adhere to a common architectural palette. This palette included the use of brick and stone elements. Previously approved and constructed buildings within this planned commercial area have incorporated both of these materials, using brick as the prevalent material. This building does not include any of the common materials approved with the preliminary development plan. Staff has requested changes be made to the architecture to bring it into better compliance with this requirement.

6. **STAFF RECOMMENDATION:** If the Planning Commission finds that the proposed building elevations adhere to the architectural palette approved with the Preliminary Development Plan for New Century Plaza, then staff recommends approval subject to the following stipulations:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - b. No signage is approved with the site plan. Separate sign permits are required prior to the installation of any additional signage.
 - c. Prior to the issuance of a Certificate of Occupancy, all rooftop and ground mounted mechanical equipment shall be screened from view with an architectural and/or landscape treatment that is compatible with the building architecture.

Chairman Koranda invited questions from the commissioners. There were no questions from the commissioners.

Chairman Koranda invited comments from the applicant. Joel Riggs of Peridian Group, Inc., gave a brief presentation.

Director Sherman discussed the proposed construction materials. He pointed out that smaller sized blocks would look better on the proposed building.

Commissioner Popp stated that he didn't like the proposed large block construction materials and suggested that four inch by twelve inch "Quikbrik" would look better and would also meet the masonry needs of the applicant. Director Sherman pointed out that the applicant had cooperated with staff's suggestion to change the orientation of the building. Mr. Riggs stated that the applicant would agree to utilize the suggested Quikbrik blocks instead of the originally proposed eight inch by sixteen inch blocks.

Commissioner Godwin asked where the awnings would be located. Mr. Riggs stated that they would be over the doors and windows. Commissioner Godwin asked if the applicant could use any other color besides the proposed red for the awnings, and Mr. Riggs explained that the proposed colors were integral to the applicant's business marketing plan.

Commissioner Godwin suggested that utilizing a different color, other than white, for all of the garage doors would improve the appearance of the building.

Commissioners Godwin and Mertz discussed the height of the tire storage structure's walls, and all the commissioners agreed that the tires should not be stacked high enough to be seen over the walls.

Commissioner Mertz suggested that the doors to the trash enclosure should be moved. Mr. Riggs stated that the doors would be moved to the north side of the enclosure.

Commissioner Mertz stated that she would like to see the revised elevations before she gave approval of the application.

Commissioner Schultz stated that the northwest portion of the parking lot should be squared off, removing the trash truck turn-around area.

Chairman Koranda stated his preference for additional roofline features to incorporate some of the adjacent buildings' features into the design of the proposed building. Director Sherman suggested that minimal roofline features would allow the proposed building to blend in better with the existing buildings.

Commissioner Mertz suggested raising the façade around the office areas of the building to give the elevations more features, and utilizing smaller block construction materials and brick accents.

Commissioners Godwin and Mertz and Mr. Riggs discussed the gates and the general locations of the tire and trash enclosures. Doug Kjellin, project coordinator for En-Tire, explained that the opening on the north side of the tire storage structure would be screened from public line of sight by the trash enclosure, and the proposed double gates on the south side of the structure would facilitate fast and easy removal of the tires for disposal. Commissioner Godwin and Mertz agreed that the gates of both structures should be solid or semi-solid so that the interiors could not be seen.

Motion Kilgore second Burnett, to approve the Final Development Plan for En-Tire, a commercial building located at 975 E. Lincoln Lane (FDP-06-07), subject to staff recommendations and four additional conditions of approval:

- a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b. No signage is approved with the site plan. Separate sign permits are required prior to the installation of any additional signage.
- c. Prior to the issuance of a Certificate of Occupancy, all rooftop and ground mounted mechanical equipment shall be screened from view with an architectural and/or landscape treatment that is compatible with the building architecture.
- d. The elevations shall incorporate the use of smaller block construction materials instead of just the proposed 8" by 16" blocks.
- e. The multiple garage doors shall be a more natural, subdued color than the proposed white doors.
- f. The trash enclosure gate shall be oriented to the north side of the structure.
- g. The hammerhead parking in the northwest corner of the parking lot shall be eliminated.

Motion to Approve Carried: 7 to 0 Aye

V. Discussion

1. Park Place Estates Preliminary Plat

Discuss possible preliminary plats for residential development northwest of the Gardner Road and 167th Street intersection.

Engineer for the applicant Victor Burks of Allenbrand-Drews & Associates, Inc., gave a presentation on the proposed Park Place Estates development from the economic and planning perspectives. He, Director Sherman, and the commissioners discussed possible street layouts, and future collector street needs and locations.

VI. Adjourn

Motion Godwin, second Schultz, to adjourn the meeting at 10:20 p.m.

Motion to Adjourn Carried: 7 to 0 Aye

Cindy Weeks, Planning Service Specialist
Community Development Department

ATTENDEES
of the
12-11, 2006
PLANNING COMMISSION MEETING

PLEASE SIGN

PLEASE PRINT

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